



UNITED STATES
HOUSE OF REPRESENTATIVES

ROSA L. DELAURO

3RD DISTRICT, CONNECTICUT

November 17, 2014

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The Honorable Tom Vilsack
Secretary, U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20520

Dear Secretary Vilsack,

I urge you to finalize the mechanically tenderized beef label, which has been under consideration for six years and is long overdue. I am concerned about USDA's delay in finalizing this important rule, which is necessary to provide consumers with accurate information about these products so they can prepare them safely.

A 2008 study conducted by USDA indicated that approximately 50 million pounds of mechanically tenderized beef products were sold every month. These products do not currently have to be labeled so consumers do not know that they are different, present different risks, and require different preparation than whole cuts of beef. Mechanically tenderized beef caused at least five *E. coli* O157:H7 outbreaks between 2003 and 2009, causing 174 illnesses, one of them fatal, according to the national Centers for Disease Control and Prevention. They also reported at least 75 outbreaks associated with beef over the five-year period between 2009 and 2013. Of those, 35 percent were caused by *E. coli* O157:H7. Yet federal meat inspectors are not even testing mechanically tenderized beef for *E. coli*. Clearly this is a public health issue that the agency must address.

As I noted in April 2012 letter to you, non-intact products like mechanically tenderized beef present a different risk than intact meat products and have a higher recommended cooking temperature from USDA. This higher temperature is intended to kill pathogens that may have been introduced into the meat during processing. But because these mechanically tenderized products are not labeled, consumers may prepare them as if they were intact cuts of meat. USDA's outreach regarding safe handling and preparation is but one part of preventing illness. Without accurate and complete labels on these products we are not providing consumers with the information they truly need to follow safe preparation practices.

In your May 4, 2012 letter to me, you stated that "USDA is working to announce a proposed rule to require the use of the descriptive designation "mechanically tenderized" on the labels of raw or partially cooked needle- or blade-tenderized beef products this summer." It has now been over one year since the proposed rule was published on June 10, 2013. If this rule is not finalized by December 31 of this year, implementation will be delayed by another two years (until 2018) due to FSIS' requirements on uniform compliance dates for meat and poultry labeling. As you know, Canada mandated a label for mechanically tenderized beef products after

its massive 2012 recall associated with those products. American consumers deserve the same information.

I urge you to publish and implement the final rule quickly so American consumers will no longer be left in the dark. Without proper labeling, people cannot know if a product has been mechanically tenderized and what that means for the recommended safe food handling. Thank you for considering the public health impacts that will occur if USDA fails to implement this rule before the end of the year.

Sincerely,

A handwritten signature in blue ink that reads "Rosa L. DeLauro". The signature is written in a cursive, flowing style.

Rosa L. DeLauro
Member of Congress